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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/686,853	10/16/2003	Robert P. Cozier	100110609-1	1734

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HEWLETT PACKARD COMPANY
P O BOX 272400, 3404 E. HARMONY ROAD
INTELLECTUAL PROPERTY ADMINISTRATION
FORT COLLINS, CO 80527-2400

EXAMINER

HENN, TIMOTHY J

ART UNIT	PAPER NUMBER
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2622

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/25/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/686,853

Applicant(s)

COZIER ET AL.

Examiner

Timothy J. Henn

Art Unit

2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 October 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1. Claims 4 and 12 are objected to because of the following informalities: Claims 4 and 12 contain the limitation "the system", however there is insufficient antecedent basis for "the system". Appropriate correction is required. For the purposes of art rejection "the system" will be read as "the camera".

Drawings

2. The drawings are objected to because "THE" in the first line of box 72 in Figure 3 is misspelled as "HE". Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the

examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Newman et al. (US 6,473,523) in view of Kawamura et al. (US 6,522,354) in view of Anderson et al. (US 6,636,259) in view of Sinclair et al. (US 2004/0070612).

[claim 1]

Regarding claim 1, Newman discloses a camera comprising: a display (Figure 1, Item 4) and an apparatus which provides speaking capabilities (c. 9, ll. 26-37).

However, Newman does not disclose a menu as claimed.

Kawamura discloses a camera system which includes a menu displayed on the display comprising a plurality of selectable items that correspond to a selected tasks (Figure 5). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include a menu as described in Kawamura to provide user access to a plurality of tasks which the user may select. However, Kawamura does not disclose a menu which is customizable as claimed.

Anderson discloses a camera system which includes a menu including a number of tasks which the user is able to perform (Figure 5). The menu of Anderson is customizable via "action lists" to allow the user to add custom actions as necessary (c. 8, l. 44 - c. 9, l. 18). The customizable menu of Anderson further includes "customized descriptors" associated with each task (i.e. Figure 5, "Send to Mom", "Print Images 3x5", etc). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to make the menu of Newman in view of Kawamura customizable to allow the user to add new actions as necessary. However, Newman in view of Kawamura in view of Anderson does not disclose speaking the custom descriptor for a selected item.

However, it is noted that Newman discloses the use of the camera by partially sighted people (c. 9, l. 26-37). Sinclair discloses that the use of "screen reader" systems in a user interface to speak information about a selected item of the interface for users with visual impairment are indispensable and allow the user to operate the device (e.g. Paragraphs 0003-0005, 0024-0025). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the speaking capabilities of the camera of Newman as a "screen reader" to speak information relating to the selected menu item in the menu of Kawamura in view of Anderson in order to allow partially sighted/visually impaired users to easily operate the camera device.

[claim 2]

Regarding claim 2, Kawamura and Anderson both disclose menu systems in which a selected menu item causes the selected task to be performed on an external device in a preprogrammed manner (e.g. storing images in an external system, printing the images, etc.; Kawamura, Figure 5; Anderson, Figure 5).

[claim 3]

Regarding claim 3, Newman discloses a digital camera (Figures 1 and 2; c. 3, ll. 19-64).

[claim 4]

Regarding claim 4, Anderson discloses tasks such as printing (Figure 5, "Print Images), e-mailing (c. 9, ll. 10-18), archiving and downloading data from the camera (e.g. Figure 5, "Save in MyShoeBox").

[claim 5]

Regarding claim 5, Anderson discloses an external device which is a printer (i.e. printing the images, Figure 5, "Print Images").

[claim 6]

Regarding claim 6, Anderson discloses an external device which is a computer (i.e. server; Figure 1, Item 18).

[claim 7]

Regarding claim 7, Kawamura discloses a selectable item which comprise icons (Figure 5).

[claim 8]

Regarding claim 8, Kawamura discloses selectable items which comprise text.

[claim 9]

Regarding claim 9, Kawamura discloses selectable items which are displayed on the display (Figure 5).

[claim 10]

Claim 10 contains the limitations of claims 1 and 2. Therefore, claim 10 is analyzed and rejected as previously discussed with respect to claims 1 and 2.

[claims 11-17]

Regarding claims 11-17, see claims 3-9.

[claims 18-26]

Claims 18-26 are method claims corresponding to apparatus claims 1-9. Therefore, claims 18-26 are analyzed and rejected as previously discussed with respect to claims 1 and 2.

[claim 27 and 28]

Regarding claims 27 and 28, see claim 1.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following further show the current state of the art in camera menu systems:

- | | | |
|-----|------------------|-----------------|
| i. | Battles et al. | US 2003/0210331 |
| ii. | Venturino et al. | US 7,106,375 |

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Timothy J. Henn whose telephone number is (571) 272-7310. The examiner can normally be reached on M-F 9:00 AM - 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivek Srivastava can be reached on (571) 272-7304. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

TJH
1/18/2006



VIVEK SRIVASTAVA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600